

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:21-CR-00271-RJC-DCK

USA

v.

WILLIAM KIVETT SLACK (1)

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se for a reduction of sentence based on Amendment 821 to the United States Sentencing Guidelines relating to certain zero-point offenders. (Doc. No. 48).

Part B, Subpart 1 of the Amendment is retroactive and created a two-level decrease if a defendant meets all the criteria in USSG §4C1.1(a). USSG §1B1.10(d), comment. (n.7). Here, the defendant was convicted of a sex offense.¹ (Doc. No. 46: Judgment at 1). Accordingly, he is not eligible for relief. USSG § 4C1.1(a)(5).

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.



Robert J. Conrad, Jr.
United States District Judge



¹ The defendant's reliance on United States v. Majeroni, No. 2:13-cr-37, 2024 WL 326783 (D. Me. Jan. 29, 2024) and United States v. Dunston, No. 1:15-cr-162, 2024 WL 709363 (D. Me. Feb. 21, 2024), is misplaced. Each of those cases involved reductions based on status points under USSG §4A1.1(e), which are not limited by USSG §4C1.1.